

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4475 OF 1999@@
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Dy. Secretary to Govt. & Ors. ...Appellant (s)

Versus

A. Rose (Dead) By L.Rs. ...Respondent(s)

O R D E R~@@
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An order of dismissal of a constable having been set aside by the Tamil Nadu Administrative Tribunal, Chennai (for short "the tribunal"), the State is in appeal against the same. The concerned employee has died in the year 1997, after filing of this special leave application in this Court.

Though there is sufficient force in the contention of Mr. Mariarputham, learned counsel appearing for the State of Tamil Nadu, but we do not intend to examine the same as in our view the ends of justice will be fully met by disallowing the dependents of the deceased-employee, the back wages which the Tribunal has awarded for the period from 1992 to 1997 and the dependents would be only entitled to the pensionary benefits, if any, accrued in their favour on the basis of the relevant rules. Be it stated that the Tribunal itself has refused to grant any arrears of salary from the date of termination, i.e, 25.4.1984 till 14.1.1992, the date on which the employee concerned had approached the Tribunal. The amount which the ...2

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deceased-employee had as Provident fund and gratuity will have to be also paid. The wife of the deceased-employee would be entitled to the family pension w.e.f. 1.10.1997. The pensionary benefits, if any, may be finalised within a period of six months. This appeal stands disposed of accordingly.

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(G.B. PATTANAIAK)@@
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New Delhi,
March 27, 2001

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(B.N. AGRAWAL)@@
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S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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(With office report)

Date : 27/03/2001 These petition(s)/appeal(s) was/were called
on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant (s) Mr. A. Mariarputham, Adv.
Mrs. Aruna Mathur, Adv. for
M/s. Arputham, Aruna & Co.

For Respondent (s) Mr. S. Nanda Kumar, Adv.
Mr. V. Vijayan, Adv.
Mr. L.K. Pandey, Adv.

UPON hearing counsel, the Court made the following
O R D E R

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The appeal stands disposed of in terms of the signed
order.

.SP1

(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)